

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 7978

PERMIT 4430

LICENSE 2682

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

A petition to change point of diversion under License 2682 (Application 7978) having been filed with the former Division of Water Resources, protests having been filed, jurisdiction of the administration of water rights including said petition having been subsequently transferred to the State Water Rights Board, petitioner and protestants having stipulated to proceedings in lieu of hearing under the provisions of Section 737 of Title 23, California Administrative Code, an investigation having been made by the Board, and said Board being now fully informed in the premises:

IT IS HEREBY ORDERED that permission be, and the same is, hereby granted to change the point of diversion under License 2682 to a point described as follows, to wit:

North fifty-three degrees, thirty-five minutes east ( $N53^{\circ}35'E$ ) one thousand nine hundred eighteen (1918) feet from the  $W\frac{1}{4}$  corner of Section 24, T25N, R6E, MDB&M, being within the  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 24.

The aforesaid permission is granted subject to the condition that sufficient water to satisfy downstream prior vested rights including those under License 1311, or the natural flow of the stream, whichever is less, shall be bypassed at all times.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California, on this 13th day of November, 1957.

STATE WATER RIGHTS BOARD

/s/ Henry Holsinger  
Henry Holsinger, Chairman

John B. Evans, Member

/s/ W. P. Rowe  
W. P. Rowe, Member

FORM 98, 40714 8-56 500 SPO

STATE OF CALIFORNIA }  
STATE WATER RIGHTS BOARD } ss.

CERTIFICATE 5481  
APPLICATION 7978  
PERMIT 4430  
LICENSE 2682

I, Clarabel R. Thayer, Certification Clerk of the State Water Rights Board, State of California, do hereby certify that I have carefully compared the attached copy of ORDER ALLOWING CHANGE IN POINT OF DIVERSION, contained in Decision No. MD 4.

and that the same is a true, full, complete and correct copy of the said order

on file in this office.

WITNESS my hand and the seal of the State Water Rights Board, State of California, this 2nd day of December 1957.

By Clarabel R. Thayer  
Certification Clerk

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 7978

PERMIT 4430

LICENSE 2682

ORDER ALLOWING CORRECTION OF DESCRIPTION  
OF PLACE OF USE

Licensee having established to the satisfaction of the State Water Rights Board that the correction of description of place of use under Application 7978, Permit 4430, License 2682 for which petition was submitted on March 23, 1954 will not operate to the injury of any other legal user of water, the State Water Rights Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to correct the description of place of use under said Application 7978, Permit 4430, License 2682, to a place of use described as follows, to wit:

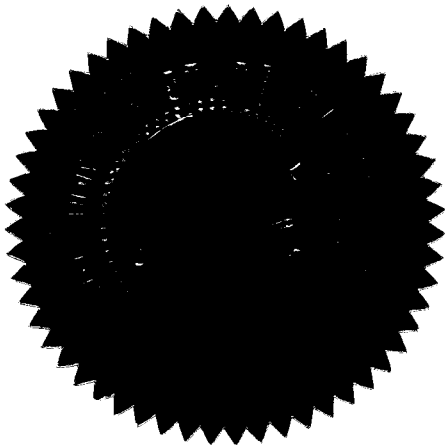
WITHIN NW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 24, T25N, R6E, MDB&M.

WITNESS the hand and the seal of the State Water Rights Board of the State of California this 20th day of February, 1958.

STATE WATER RIGHTS BOARD

By:

*Leslie C. Jopson*  
Leslie C. Jopson  
Chief Engineer





STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 2682

PERMIT 4430

APPLICATION 7978

THIS IS TO CERTIFY, That **W. B. Stout, Oroville, California** Notice of Assignment (Over)

as of July 24, 1943 (the date of inspection)  
ba ■ made proof to the satisfaction of the Division  
of Water Resources of California of a right to the use of the waters of **Indian Creek in Plumas County**

tributary of **North Fork of Feather River**

for the purpose of **domestic use**

under Permit **4430** of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from **June 15, 1934;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **two thousand (2000)** gallons per day from January 1 to December 31 of each season.

This license is based on the use of water made during the year 1942 which was the year of maximum use within the three year period preceding the date of inspection; namely, July 24, 1943.

The point of diversion of such water is located **North fifty one degrees, fifteen minutes West (N. 51° 15' W.) twenty two hundred eighty five (2285) feet from United States Land Office Monument No. 98, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 24, T 25 N, R 6 E, M.D.B. & M.**

A description of the lands or the place where such water is put to beneficial use is as follows:

**Domestic use within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 24, T 25 N, R 6 E, M.D.B. & M.**

The Water Commission Act was superseded by the Water Code on August 4, 1943. By force of the provisions of the latter, all references in this form to the Division of Water Resources will be understood to mean the Department of Public Works acting by and through the State Engineer.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Division of Water Resources in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Division of Water Resources.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

FORM 64-A

29813 12-43 500 SPO



Witness my hand and the seal of the Department of Public Works of the State of California, this 20th day of July, 1944

EDWARD HYATT  
State Engineer

By Harold Conkling  
Deputy State Engineer

9/28/44

RECEIVED NOTICE OF ASSIGNMENT TO

A. Merle Higgins

10/24/47

RECEIVED NOTICE OF ASSIGNMENT TO

Pacific Electric Co.

8-16-74

RECEIVED NOTICE OF ASSIGNMENT TO

Frank Coffman & Daniel Wilson

2642

LICENSE

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

LICENSE  
TO APPROPRIATE WATER

ISSUED TO W. B. Stout

DATED July 20, 1944

29813 12-43 500 STATE PRINTING OFFICE

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